

EXHIBIT A

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

HERITAGE 875 4TH AVENUE LLC, HERITAGE :
286 RIDER AVE LLC, 875 4TH AVENUE :
ACQUISITION LLC, 286 RIDER AVENUE : Index No.: 452010/2021
ACQUISITION LLC, TOBY MOSKOVITS :
and MICHAEL LICHTENSTEIN, :
Plaintiffs, : **STIPULATION OF**
-against- : **DISCONTINUANCE**
: **WITH PREJUDICE**
: **ON BEHALF OF**
: **PLAINTIFF 286 RIDER**
: **AVE ACQUISITION LLC**
AVIV ARAVA MANAGEMENT, LLC, BE-AVIV :
4TH AVENUE MORTGAGE LENDER, LLC, :
BE-AVIV 286 RIDER LLC, BE-AVIV 4TH :
AVENUE LENDER LLC, BEN HARLEV :
and EYAL EPSTEIN, :
Defendants. :

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff 286 Rider Ave Acquisition LLC, as Borrower (“Plaintiff Acquisition”) and Defendants, pursuant to CPLR Rule 3217, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is, discontinued by Plaintiff Acquisition only, with prejudice, without interest, costs, or disbursements to any party as against any other party. A copy of this stipulation may be submitted to the Court to be so ordered and filed with the Clerk of the Court New York County.

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IT IS FURTHER STIPULATED AND AGREED, that this Stipulation may be executed in any number of counterparts by either an original signature or signature transmitted by facsimile or email transmission, or similar process, and each copy so executed shall be deemed to be an original and all copies so executed shall constitute one and the same agreement.

Morrison Cohen LLP

**Robinson Brog Leinwand Greene
Genovese & Gluck P.C.**

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By: _____
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212-603-6301

Counsel for Defendants

*Counsel for Plaintiff
286 Rider Ave Acquisition LLC,
Debtor and Debtor-in-Possession*

Dated: April ___, 2022

Dated: April ___, 2022

SO ORDERED:

J.S.C.